

**LEWIS**  
AND  
**ROCA**  
LLP  
LAWYERS

E-Filed on 3/21/08

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Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In re:  
USA Commercial Mortgage Company,  
USA Capital Realty Advisors, LLC,  
USA Capital Diversified Trust Deed Fund,  
LLC,  
USA Capital First Trust Deed Fund, LLC,<sup>1</sup>  
USA Securities, LLC,<sup>2</sup>  
Debtors.

Case No. BK-S-06-10725-LBR  
Case No. BK-S-06-10726-LBR  
Case No. BK-S-06-10727-LBR  
Case No. BK-S-06-10728-LBR<sup>1</sup>  
Case No. BK-S-06-10729-LBR<sup>2</sup>

**CHAPTER 11**

Jointly Administered Under Case No.  
BK-S-06-10725 LBR

**STATUS AND AGENDA FOR  
MARCH 25, 2008 HEARINGS**

Date of Hearings: March 25, 2008  
Time of Hearings: 9:30 a.m.  
10:30 a.m.

**Affects:**

- ☐ All Debtors  
☒ USA Commercial Mortgage Company  
☐ USA Capital Realty Advisors, LLC  
☐ USA Capital Diversified Trust Deed Fund, LLC  
☐ USA Capital First Trust Deed Fund, LLC  
☐ USA Securities, LLC

**9:30 a.m.**

1. **Motion for Summary Judgment to Classify Claim by Pecos Professional Park Limited Partnership in Plan Class A-7 With Certificate Of Service** Filed by ROB CHARLES on behalf of USACM LIQUIDATING TRUST [DE 5122]

**Related Filing:** *Statement of Facts in Support of Motion for Summary Judgment to Classify Claim by Pecos Professional Park Limited Partnership in*  
10/29/2007

<sup>1</sup> This bankruptcy case was closed on October 12, 2007.

<sup>2</sup> This bankruptcy case was closed on December 26, 2007.

1 *Plan Class A-7 With Certificate Of Service* Filed by ROB  
2 CHARLES on behalf of USACM LIQUIDATING TRUST [DE  
5123]

3 **Opposition Filed:** Opposition Filed by TY E. KEHOE on behalf of LUCIUS  
4 12/04/2007 BLANCHARD [DE 5432]

5 **Reply Filed:** Reply with Certificate of Service *in Support of Motion for*  
6 12/17/2007 *Summary Judgment to Classify Claim by Pecos Professional Park*  
7 *Limited Partnership in Plan Class A-7* Filed by ROB CHARLES  
on behalf of USACM LIQUIDATING TRUST [DE 5493]

8 **Related Filing:** Order Postponing Hearing on Motion for Summary Judgment to  
1/16/2008 Classify Claim by PECOS PROFESSIONAL PARK LIMITED  
9 PARTNERSHIP in Plan Class A-7 [DE 5677]

10 **Stipulation filed:** Stipulation By LUCIUS BLANCHARD and Between Hantges  
3/11/2008 Bankruptcy Estate Trustee Filed by TY E. KEHOE on behalf of  
11 LUCIUS BLANCHARD [DE 5969]

12 **Status:** This is scheduled as a status conference only. The parties are  
13 prepared to discuss whether further briefing is appropriate or  
necessary and a new hearing date for the motion

14 2. **Objection to Claim of Spectrum Capital 10725-01414 -- Sixth Omnibus**  
15 **Objection to Proofs of Claim Based, In Whole or In Part, Upon Investment in the One**  
16 **Point Street, LLC--HFA North Yonkers Loan** filed by ROB CHARLES on behalf of  
USACM LIQUIDATING TRUST [DE 5696]

17 **Opposition Filed:** None

18 **Related Event:** Declaration Of: Edward M. Burr *in Support of Omnibus*  
1/18/2008 *Objections to Proofs of Claim Based Upon Investment in the One*  
19 *Point Street, LLC -- HFA North Yonkers Loan; and Certificate of*  
20 *Service* Filed by ROB CHARLES on behalf of USACM  
21 LIQUIDATING TRUST [DE 5684]

22 3/11/2008 *Notice of Continued Hearing re Sixth Omnibus Objection of*  
23 *USACM Trust to Proofs of Claim Based, in Whole or in Part,*  
24 *Upon Investment in the One Point Street, LLC - HFA North*  
25 *Yonkers Loan and Certificate of Service* Filed by ROB  
CHARLES on behalf of USACM LIQUIDATING TRUST [DE  
5968]

26 **Status:** Hearing continued from 2/21/2008 and 3/25/08

1           3.       **Objection to Claim 1366 of Los Valles Land & Golf LLC** filed by ROB  
2 CHARLES on behalf of USACM LIQUIDATING TRUST [DE 3076]

3       **Related Event:**       Declaration Of: Edward M. Burr *in Support of USACM*  
4       3/13/2007               *Liquidating Trust Objections to Proofs of Claim and Motions to*  
5                               *Classify Claims* Filed by ROB CHARLES on behalf of USACM  
6                               LIQUIDATING TRUST [DE 3083]

7       **Stipulation Filed:**   Stipulation By USACM LIQUIDATING TRUST and Between  
8       4/18/2007               Los Valles Land & Golf LLC *Continuing Hearing on Objections*  
9                               *to Claim 1366 of Los Valles Land & Golf LLC* Filed by ROB  
10                              CHARLES on behalf of USACM LIQUIDATING TRUST [DE  
11                              3484]

12       **Related Event:**       Order Approving Stipulation to Continue the Hearing on  
13       4/24/2007               Objections to Claim 1366 of LOS VALLES LAND & GOLF LLC  
14                               [DE 3529]

15       **Stipulation Filed:**   Stipulation By USACM LIQUIDATING TRUST and Between  
16       5/30/2007               Los Valles Land & Golf LLC *Stipulation Continuing Hearing on*  
17                               *Objections to Claim 1366 of Los Valles Land & Golf LLC* Filed  
18                               by ROB CHARLES on behalf of USACM LIQUIDATING  
19                               TRUST [DE 3838]

20       **Related Event:**       Order Approving Stipulation to Continue the Hearing on  
21       5/30/2007               Objections to Claim 1366 of LOS VALLES LAND & GOLF LLC  
22                               [DE 3846]

23       **Stipulation Filed:**   Stipulation By USACM LIQUIDATING TRUST and Between  
24       7/10/2007               Los Valles Land & Golf LLC *Continuing Hearing on Objections*  
25                               *to Claim 1366 of Los Valles Land & Golf LLC* Filed by ROB  
26                               CHARLES on behalf of USACM LIQUIDATING TRUST [DE  
                                  4146]

**Related Event:**       Order Approving Stipulation to Continue the Hearing on  
          7/12/2007               Objections to Claim 1366 of LOS VALLES LAND & GOLF LLC  
                                  [DE 4151]

**Stipulation Filed:**   Stipulation By USACM LIQUIDATING TRUST and Between  
          10/04/2007              Los Valles Land & Golf LLC *Continuing Hearing on Objections*  
                                  *to Claim 1366 of Los Valles Land & Golf LLC* Filed by ROB  
                                  CHARLES on behalf of USACM LIQUIDATING TRUST [DE  
                                  4933]

1 **Related Event:** Order Approving Stipulation to Continue the Hearing on  
2 10/11/2007 Objections to Claim 1366 of LOS VALLES LAND & GOLF LLC  
[DE 4972]  
3  
4 1/31/2008 Amended Order Scheduling Settlement Conference. Status  
5 hearing to be held on 3/25/2008 at 09:30 AM at LBR-Courtroom  
6 1, Foley Federal Bldg.. Settlement Conference scheduled for  
3/3/2008 at 09:30 AM at LBR-Courtroom 1, Foley Federal Bldg.  
[DE 5755]  
7 **Status:** This objection has been superseded by the Amended Objection  
8 that is listed as item No. 4 below.

9 4. **Amended Objection to Claim 1366 of Los Valles Land & Golf LLC** filed  
10 by ROB CHARLES on behalf of USACM LIQUIDATING TRUST [DE 4820]

11 **Stipulation Filed:** Stipulation By USACM LIQUIDATING TRUST and Between  
12 10/04/2007 Los Valles Land & Golf LLC *Continuing Hearing on Objections*  
13 *to Claim 1366 of Los Valles Land & Golf LLC* Filed by ROB  
CHARLES on behalf of USACM LIQUIDATING TRUST [DE  
4933]

14 **Related Event:** Order Approving Stipulation to Continue the Hearing on  
15 10/11/2007 Objections to Claim 1366 of LOS VALLES LAND & GOLF LLC  
[DE 4972]

16 **Response Filed:** Response with Certificate of Service Filed by SCOTT D.  
17 10/15/2007 FLEMING on behalf of LOS VALLES LAND & GOLF, LLC  
[DE 5017]

18 **Stipulation Filed:** Stipulation By USACM LIQUIDATING TRUST and Between  
19 11/01/2007 Los Valles Land & Golf LLC *Continuing Hearing on Objections*  
20 *to Claim 1366* Filed by ROB CHARLES on behalf of USACM  
LIQUIDATING TRUST [DE 5235]

21 **Related Event:** Hearing Scheduled/Rescheduled. Status hearing to be held on  
22 11/05/2007 11/16/2007 at 09:30 AM at LBR-Courtroom 1, Foley Federal  
Bldg [DE 5271]

23 12/21/2007 Motion to File Amended Document *Motion for Leave to File*  
24 *Second Amended Objection and Counterclaim* Filed by ROB  
25 CHARLES on behalf of USACM LIQUIDATING TRUST [DE  
5529]  
26

1 **Stipulation Filed:** Stipulation By LOS VALLES LAND & GOLF, LLC and  
2 1/04/2008 Between USACM Liquidating Trust *to Modify Briefing Schedule*  
3 *for Hearing With Certificate Of Service* Filed by SCOTT D.  
4 FLEMING on behalf of LOS VALLES LAND & GOLF, LLC  
[DE 5574]

5 **Related Event:** Order Approving Stipulated Motion to Modify Briefing Schedule  
6 1/11/2008 for Hearing Regarding Motion for Leave to File Second Amended  
7 Objection and Counterclaim (#5529) The hearing will now be  
8 held on February 4, 2008 [DE 5630]

9 1/23/2008 Order Scheduling Settlement Conference. Settlement Conference  
10 scheduled for 2/26/2008 at 09:30 AM at LBR-Courtroom 1, Foley  
11 Federal Bldg. [DE 5720]

12 1/31/2008 Amended Order Scheduling Settlement Conference. Status  
13 hearing to be held on 3/25/2008 at 09:30 AM at LBR-Courtroom  
14 1, Foley Federal Bldg.. Settlement Conference scheduled for  
15 3/3/2008 at 09:30 AM at LBR-Courtroom 1, Foley Federal Bldg.  
16 [DE 5755]

17 1/31/2008 Stipulated Order Vacating February 4, 2008 on USACM TRUST's  
18 Motion to Amend Objection and File Counterclaim to Claim by  
19 LOS VALLES LAND AND GOLF LLC [DE 5756]

20 **Status:** There is now pending before this Court a related adversary  
21 complaint (Adv. No. 08-01058) filed by USACM against Los  
22 Valles and Mr. Dan Palmer, Jr. USACM has filed a motion to  
23 consolidate this action with the adversary proceeding. [DE 5991]  
24 Counsel for Mr. Palmer and Los Valles is considering whether to  
25 oppose the motion to consolidate and whether to answer the  
26 adversary complaint or to respond to it by filing a motion to strike  
and/or motion to consolidate. The parties will be prepared to  
discuss scheduling issues in light of these circumstances.

21 5. ***Omnibus Objection to Proofs of Claim Based, in Whole or in Part, Upon***  
22 ***Investment in Boise/Gowen 93, LLC Loan*** filed by ROB CHARLES on behalf of  
23 USACM LIQUIDATING TRUST [DE 5748]

24 **Related Event:** Declaration Of: Edward M. Burr *in Support of Omnibus*  
25 1/30/2008 *Objections to Proofs of Claim Based Upon Investment in*  
26 *Boise/Gowen 93, LLC Loan With Certificate Of Service* Filed by  
ROB CHARLES on behalf of USACM LIQUIDATING TRUST  
[DE 5750]

1 **Status:** No Response Filed

2  
3 6. ***First Omnibus Objection to Proofs of Claim Based, In Whole or In Part,***  
4 ***Upon Investment in 5252 Orange, LLC Loan*** filed by ROB CHARLES on behalf of  
USACM LIQUIDATING TRUST [DE 5759]

5 **Related Event:** Declaration Of: Edward M. Burr *in Support of Omnibus*  
6 2/01/2008 *Objections to Proofs of Claim Based Upon Investment in 5252*  
7 *Orange, LLC Loan With Certificate Of Service* Filed by ROB  
8 CHARLES on behalf of USACM LIQUIDATING TRUST [DE  
5761]

9 **Status:** No Response Filed

10 7. ***Second Omnibus Objection to Proofs of Claim Based, In Whole or In Part,***  
11 ***Upon Investment in 5252 Orange, LLC Loan*** filed by ROB CHARLES on behalf of  
USACM LIQUIDATING TRUST [DE 5763]

12 **Related Event:** Declaration Of: Edward M. Burr *in Support of Omnibus*  
13 2/01/2008 *Objections to Proofs of Claim Based Upon Investment in 5252*  
14 *Orange, LLC Loan With Certificate Of Service* Filed by ROB  
15 CHARLES on behalf of USACM LIQUIDATING TRUST [DE  
5761]

16 **Status:** No Response Filed

17 8. ***First Omnibus Objection to Proofs of Claim Based, in Whole or in Part,***  
18 ***Upon Investment in Golden State Investments II Loan*** filed by ROB CHARLES on  
behalf of USACM LIQUIDATING TRUST [DE 5775]

19 **Related Event:** Declaration Of: Edward M. Burr *in Support of Omnibus*  
20 2/05/2008 *Objections to Proofs of Claim Based Upon Investment in Golden*  
21 *State Investments II Loan; and Certificate of Service* Filed by  
22 ROB CHARLES on behalf of USACM LIQUIDATING TRUST  
[DE 5777]

23 **Status:** No Response Filed

24 9. ***Second Omnibus Objection to Proofs of Claim Based, in Whole or in Part,***  
25 ***Upon Investment in Golden State Investments II Loan*** filed by ROB CHARLES on  
26 behalf of USACM LIQUIDATING TRUST [DE 5780]



1 **Related Event:** Declaration Of: Edward M. Burr *in Support of Omnibus*  
2 2/05/2008 *Objections to Proofs of Claim Based Upon Investment in Golden*  
3 *State Investments II Loan; and Certificate of Service* Filed by  
4 ROB CHARLES on behalf of USACM LIQUIDATING TRUST  
[DE 5777]

5 **Status:** No Response Filed

6 10. ***First Omnibus Objection to Proofs of Claim Based Upon Investment in***  
7 ***Glendale Tower Partners, LLC Loan*** filed by ROB CHARLES on behalf of USACM  
LIQUIDATING TRUST [DE 5783]

8  
9 **Related Event:** Declaration Of: Edward M. Burr *in Support of Omnibus*  
10 2/05/2008 *Objections to Proofs of Claim Based Upon Investment in*  
11 *Glendale Tower Partners, LLC Loan* Filed by ROB CHARLES  
on behalf of USACM LIQUIDATING TRUST [DE 5787]

12 **Status:** No Response Filed

13 11. ***Second Omnibus Objection to Proofs of Claim Based Upon Investment in***  
14 ***Glendale Tower Partners, LLC Loan*** filed by ROB CHARLES on behalf of USACM  
LIQUIDATING TRUST [DE 5785]

15 **Related Event:** Declaration Of: Edward M. Burr *in Support of Omnibus*  
16 2/05/2008 *Objections to Proofs of Claim Based Upon Investment in*  
17 *Glendale Tower Partners, LLC Loan* Filed by ROB CHARLES  
on behalf of USACM LIQUIDATING TRUST [DE 5787]

18 **Status:** No Response Filed

19  
20 12. ***First Omnibus Objection to Proofs of Claim Based, in Whole or in Part,***  
21 ***Upon Investment in Ashby Financial Company \$7,200,000 Loan*** filed by ROB  
CHARLES on behalf of USACM LIQUIDATING TRUST [DE 5813]

22 **Related Event:** Declaration Of: Edward M. Burr *in Support of Omnibus*  
23 2/12/2008 *Objections to Proofs of Claim Based Upon Investment in Ashby*  
24 *Financial Company \$7,200,000 Loan* Filed by ROB CHARLES  
on behalf of USACM LIQUIDATING TRUST [DE 5819]

25 **Status:** No Response Filed

1           13.     ***Second Omnibus Objection to Proofs of Claim Based, in Whole or in Part,***  
2     ***Upon Investment in Ashby Financial Company \$7,200,000 Loan*** filed by ROB  
   **CHARLES on behalf of USACM LIQUIDATING TRUST [DE 5815]**

3     **Related Event:**       Declaration Of: Edward M. Burr *in Support of Omnibus*  
4     2/12/2008            *Objections to Proofs of Claim Based Upon Investment in Ashby*  
5                            *Financial Company \$7,200,000 Loan* Filed by ROB CHARLES  
   on behalf of USACM LIQUIDATING TRUST [DE 5819]

6     **Status:**            No Response Filed

7  
8           14.     ***Third Omnibus Objection to Proofs of Claim Based, in Whole or in Part,***  
9     ***Upon Investment in Ashby Financial Company \$7,200,000 Loan*** filed by ROB  
   **CHARLES on behalf of USACM LIQUIDATING TRUST [DE 5817]**

10    **Related Event:**     Declaration Of: Edward M. Burr *in Support of Omnibus*  
11    2/12/2008            *Objections to Proofs of Claim Based Upon Investment in Ashby*  
12                            *Financial Company \$7,200,000 Loan* Filed by ROB CHARLES  
   on behalf of USACM LIQUIDATING TRUST [DE 5819]

13    **Response Filed:**   Objection [sic] of VOSS FAMILY TRUST to Reduce Claim Filed  
14    3/14/2008            by VOSS FAMILY TRUST [DE 6006]

15    **Related Event:**     *Withdrawal of Third Omnibus Objection to Proofs of Claim Based*  
16    3/19/2008            *Upon Investment in the Ashby Financial Company \$7,200,000*  
17                            *Loan as it Relates to the Voss Family Trust Claim Only* Filed by  
   ROB CHARLES on behalf of USACM LIQUIDATING TRUST  
   [DE 6022]

18    **Status:**            No responses filed except for the Voss Family Trust

19           15.     ***First Omnibus Objection to Proofs of Claim Based Upon Investments in***  
20     ***Fiesta Beaumont \$2.4M Loan with Certificate of Service*** filed by ROB CHARLES on  
   behalf of USACM LIQUIDATING TRUST [DE 5822]

21  
22    **Related Event:**     Declaration Of: Edward M. Burr *in Support of Omnibus*  
23    2/12/2008            *Objections to Proofs of Claim Based Upon Investment in Fiesta*  
24                            *Beaumont \$2.4M Loan* Filed by ROB CHARLES on behalf of  
   USACM LIQUIDATING TRUST [DE 5829]

25    **Status:**            No Response Filed



1 16. ***Second Omnibus Objection to Proofs of Claim Based Upon Investments in***  
2 ***Fiesta Beaumont \$2.4M Loan with Certificate of Service*** filed by ROB CHARLES on  
behalf of USACM LIQUIDATING TRUST [DE 5827]

3 **Related Event:** Declaration Of: Edward M. Burr *in Support of Omnibus*  
4 2/12/2008 *Objections to Proofs of Claim Based Upon Investment in Fiesta*  
5 *Beaumont \$2.4M Loan* Filed by ROB CHARLES on behalf of  
USACM LIQUIDATING TRUST [ DE 5829]

6 **Status:** No Response Filed

7  
8 17. ***First Omnibus Objection to Proofs of Claim Based, in Whole or in Part,***  
9 ***Upon Investment in J Jireh's Corporation Loan with Certificate of Service*** filed by  
ROB CHARLES on behalf of USACM LIQUIDATING TRUST [DE 5833]

10 **Related Event:** Declaration Of: Edward M. Burr *in Support of Omnibus*  
11 2/13/2008 *Objections to Proofs of Claim Based Upon Investment in J Jireh's*  
12 *Corporation Loan* Filed by ROB CHARLES on behalf of  
USACM LIQUIDATING TRUST [ DE 5842]

13 **Status:** No Response Filed

14  
15 18. ***Second Omnibus Objection to Proofs of Claim Based, in Whole or in Part,***  
16 ***Upon Investment in J Jireh's Corporation Loan with Certificate of Service*** filed by  
ROB CHARLES on behalf of USACM LIQUIDATING TRUST [DE 5835]

17 **Related Event:** Declaration Of: Edward M. Burr *in Support of Omnibus*  
18 2/13/2008 *Objections to Proofs of Claim Based Upon Investment in J Jireh's*  
19 *Corporation Loan* Filed by ROB CHARLES on behalf of  
USACM LIQUIDATING TRUST [ DE 5842]

20 **Status:** No Response Filed

21  
22 19. ***Third Omnibus Objection to Proofs of Claim Based, in Whole or in Part,***  
23 ***Upon Investment in J Jireh's Corporation Loan with Certificate of Service*** filed by  
ROB CHARLES on behalf of USACM LIQUIDATING TRUST [DE 5838]

24 **Related Event:** Declaration Of: Edward M. Burr *in Support of Omnibus*  
25 2/13/2008 *Objections to Proofs of Claim Based Upon Investment in J Jireh's*  
26 *Corporation Loan* Filed by ROB CHARLES on behalf of  
USACM LIQUIDATING TRUST [ DE 5842]

**Status:** No Response Filed

20. ***Fourth Omnibus Objection to Proofs of Claim Based, in Whole or in Part, Upon Investment in J Jireh's Corporation Loan with Certificate of Service*** filed by ROB CHARLES on behalf of USACM LIQUIDATING TRUST [DE 5840]

**Related Event:** Declaration Of: Edward M. Burr *in Support of Omnibus Objections to Proofs of Claim Based Upon Investment in J Jireh's Corporation Loan* Filed by ROB CHARLES on behalf of USACM LIQUIDATING TRUST [ DE 5842]

**Status:** No Response Filed

21. ***First Omnibus Objection to Proofs of Claim Based Upon Investment in LCG Gilroy, LLC Loan with Certificate of Service*** filed by ROB CHARLES on behalf of USACM LIQUIDATING TRUST [DE 5850]

**Related Event:** Declaration Of: Edward M. Burr *in Support of Omnibus Objections Based Upon Investment in LCG Gilroy, LLC Loan* Filed by ROB CHARLES on behalf of USACM LIQUIDATING TRUST [ DE 5856]

**Status:** No Response Filed

22. ***Second Omnibus Objection to Proofs of Claim Based Upon Investment in LCG Gilroy, LLC Loan with Certificate of Service*** filed by ROB CHARLES on behalf of USACM LIQUIDATING TRUST [DE 5854]

**Related Event:** Declaration Of: Edward M. Burr *in Support of Omnibus Objections Based Upon Investment in LCG Gilroy, LLC Loan* Filed by ROB CHARLES on behalf of USACM LIQUIDATING TRUST [ DE 5856]

**Status:** No Response Filed

23. ***First Omnibus Objection to Proofs of Claim Based Upon Investment in Urban Housing Alliance--435 Lofts Loan with Certificate of Service*** filed by ROB CHARLES on behalf of USACM LIQUIDATING TRUST [DE 5863]

**Related Event:** Declaration Of: Edward M. Burr *in Support of Omnibus Objections to Proofs of Claim Based Upon Investment in Urban Housing Alliance--435 Lofts Loan With Certificate Of Service* Filed by ROB CHARLES on behalf of USACM LIQUIDATING TRUST [ DE 5869]

**Status:** No Response Filed

24. ***Second Omnibus Objection to Proofs of Claim Based Upon Investment in Urban Housing Alliance--435 Lofts Loan with Certificate of Service*** filed by ROB CHARLES on behalf of USACM LIQUIDATING TRUST [DE 5865]

**Related Event:** Declaration Of: Edward M. Burr *in Support of Omnibus Objections to Proofs of Claim Based Upon Investment in Urban Housing Alliance--435 Lofts Loan With Certificate Of Service* Filed by ROB CHARLES on behalf of USACM LIQUIDATING TRUST [ DE 5869]

**Status:** No Response Filed

25. ***Third Omnibus Objection to Proofs of Claim Based Upon Investment in Urban Housing Alliance--435 Lofts Loan with Certificate of Service*** filed by ROB CHARLES on behalf of USACM LIQUIDATING TRUST [DE 5867]

**Related Event:** Declaration Of: Edward M. Burr *in Support of Omnibus Objections to Proofs of Claim Based Upon Investment in Urban Housing Alliance--435 Lofts Loan With Certificate Of Service* Filed by ROB CHARLES on behalf of USACM LIQUIDATING TRUST [ DE 5869]

**Status:** No Response Filed

26. ***First Omnibus Objection to Proofs of Claim Based Upon Investment in Midvale Marketplace, LLC Loan with Certificate of Service*** filed by ROB CHARLES on behalf of USACM LIQUIDATING TRUST [DE 5888]

**Related Event:** Declaration Of: Edward M. Burr *in Support of Omnibus Objections to Proofs of Claim Based Upon Investment in Midvale Marketplace, LLC Loan With Certificate Of Service* Filed by ROB CHARLES on behalf of USACM LIQUIDATING TRUST [ DE 5892]

**Status:** No Response Filed

27. ***Second Omnibus Objection to Proofs of Claim Based Upon Investment in Midvale Marketplace, LLC Loan with Certificate of Service*** filed by ROB CHARLES on behalf of USACM LIQUIDATING TRUST [DE 5890]

**Related Event:** Declaration Of: Edward M. Burr *in Support of Omnibus Objections to Proofs of Claim Based Upon Investment in Midvale Marketplace, LLC Loan With Certificate Of Service* Filed by ROB CHARLES on behalf of USACM LIQUIDATING TRUST [ DE 5892]

**Status:** No Response Filed

28. Adv. 06-1256-lbr, USA Commercial Mortgage Company et al. v. Reale et al. ***Motion to Release Escrow Funds/Property Motion for Order for Release and Return of Cash Deposit*** Filed by ROBERT R. KINAS on behalf of USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC [DE 384]

**Opposition Filed:** None

**Related Event:** Declaration Of: Cynthia J. Larsen *in Support of Motion For Order For Release and Return of Cash Deposit* Filed by ROBERT R. KINAS on behalf of USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC [DE 386]

**Status:** Unopposed

29. Adv. 07-01154-lbr, USACM Liquidating Trust v. JMK Investments, Ltd., et al., ***Motion to Amend Motion for Leave to File Second Amended Complaint*** Filed by STEPHEN T LODEN on behalf of USACM LIQUIDATING TRUST [DE 75]

**Related Event:** Hearing Scheduled/Rescheduled. Hearing scheduled 1/24/2008 at 01:30 PM at LBR-Courtroom 1, Foley Federal Bldg [DE 78]

**Opposition Filed:** Opposition with Certificate of Service *to Plaintiff USACM LIQUIDATING TRUST'S Motion for Leave to File Second Amended Complaint* Filed by GEORGE C LAZAR on behalf of J.M.K. INVESTMENTS, LTD [De 81]

**Reply Filed:** Reply with Certificate of Service *Reply in Support of Plaintiff's Motion for Leave to File Second Amended Complaint* Filed by STEPHEN T LODEN on behalf of USACM LIQUIDATING TRUST [DE 92]

**Status:** No pending motion. Status conference only.

30. Adv. 07-01154-lbr, USACM Liquidating Trust v. JMK Investments, Ltd., et al., **Second Amended Complaint and Request for Declaratory Relief** Filed by STEPHEN T LODEN on behalf of USACM LIQUIDATING TRUST against all defendants [DE 98]

**Answer Filed:** Answer to *Second* Amended Complaint filed by J.M.K. INVESTMENTS with Certificate of Service Filed by GEORGE C LAZAR on behalf of J.M.K. INVESTMENTS, LTD [DE 112]

2/14/2008 Answer to *Second* Amended Complaint With Certificate of Service (Related Doc # [98](#)) Filed by DAVID A. COLVIN on behalf of ALABRUJ LIMITED PARTNERSHIP, RONI AMID, AURORA INVESTMENTS LP, BROUWERS FAMILY LP, FIRST SAVINGS BANK FBO VALLIERA MCGUIRE, FRANCIS FAMILY TRUST, LINDA JANOVITCH, STEVEN JANOVITCH, LARRY C JOHNS, MARY L JOHNS, JWB INVESTMENTS, INC., JENNIFER MIDDLETON, LARRY J MIDDLETON, MORNINGSIDE HOMES, INC., PAUL BLOCH LIVING TRUST, ROBERT M PORTNOFF, SARAH PORTNOFF, STEVEN PORTNOFF, SIMON FAMILY TRUST, THE MARVIN & VALLIERA MYERS TRUST [DE 117]

**Status:** No pending motion. Status conference only.

31. Adv. 07-01154-lbr, USACM Liquidating Trust v. JMK Investments, Ltd., et al., **Status Hearing Re: Amended Order on Motion of J.M.K. INVESTMENTS to Dismiss Pursuant to Rule 12(B)(6)** for Correction of Clerical Error [DE 116]

**Related Motion:** Motion to Dismiss by JMK Investments pursuant to Rule 12(b)(6); Memorandum of Points and Authorities Filed by GEORGE C LAZAR on behalf of J.M.K. INVESTMENTS, LTD [ DE 47]

**Status:** No pending motion. Status conference only.

32. **Motion to Approve Settlement Agreement with USA Capital Diversified Trust Deed Fund, LLC with Certificate of Service** Filed by ROB CHARLES on behalf of USACM LIQUIDATING TRUST [DE 5979]

**Related Event:** Hearing Scheduled/Rescheduled. Hearing scheduled 3/25/2008 at 09:30 AM at LBR-Courtroom 1, Foley Federal Bldg. [DE 5981]



3/14/2008 Motion for Order Shortening Time *for Hearing on Motion to Approve DTDF Settlement Agreement with Certificate of Service* Filed by ROB CHARLES on behalf of USACM LIQUIDATING TRUST [DE 5982]

3/17/2008 Order Granting Motion for Order Shortening Time for Hearing on Motion to Approve DTDF Settlement. The hearing on March 25 will be an initial hearing with a further hearing to be set to permit adequate notice [DE 6005]

**Status:**

**10:30 a.m.**

1. Adv. 06-01167-lbr, USA Commercial Mortgage Company v. Robert J. Kehl, et al., **Motion for Summary Judgment And For Order Of Directing Release Of Funds**, Filed by GEORGE D FRAME on behalf of JOHN DUTKIN [DE 330]

**Stipulation Filed:** 2/04/2008 Stipulation and Order for Settlement as Between JOHN DUTKIN, TRUSTEE OF THE JOHN DUTKIN REVOCABLE LIVING TRUST DATED 1/17/00 and FIRST TRUST COMPANY OF ONAGA, CUSTODIAN OF KAREN S. MOBERLY IRA [DE 333]

**Limited Opposition Filed:** 2/07/2008 Limited Opposition with Certificate of Service to *JOHN DUTKIN's Motion For Summary Judgment and For Order Directing Release of Funds* Filed by LENARD E. SCHWARTZER on behalf of USA CAPITAL FIRST TRUST DEED, USA COMMERCIAL MORTGAGE COMPANY [DE 337]

**Status:**

DATED: March 21, 2008.

**LEWIS AND ROCA LLP**

By: /s/ RC (#6593)

Rob Charles, NV 6593

John Hinderaker, AZ 18024

*Counsel for USACM Liquidating Trust*



LEWIS  
AND  
ROCA  
LLP  
LAWYERS

PROOF OF SERVICE

COPY of the aforementioned sent via e-mail or U.S. First Class Mail on March 21, 2008 to the parties listed on Post-Effective Official Service List for Limited Notice No. 4 Dated January 8, 2008.

/s/ Christine E Laurel  
Christine E Laurel  
Lewis and Roca LLP